

moving forward, the risk of an appeals process modifying or being changed is incorporated or at least is being proposed.

For those of us who are very concerned about the ability to protect the very clear and important portions of the spectrum that the Department of Defense utilizes, it is important that there be no modifications to any appeals process between now and September 30. Until such time as we have that available to us, it is simply not appropriate, I believe, to allow for an existing modification or new legislation to be proposed that does not take that into account.

Once again, I don't want to see this lapse either—I would love to see it moved on—but I cannot think of a reason we would not be able to extend the existing auction capabilities of the FCC, the NTIA, and so forth and still protect the spectrum capabilities of the Department of Defense until September 30, at which time the complete report will be available. Until such time, I believe that it would be inappropriate to, once again, have the risk of modifications to any appeals process and any additional legislation that might be included in a further extension.

Therefore, with all due respect, I must object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Vermont.

Mr. WELCH. Madam President, just to remark, here is the dilemma we have. Much of what the Senator from South Dakota is saying I agree with, but we have two things that are relevant on a very practical level.

One is the pressure that continues to be brought to bear on the negotiators with the 60-day extension to get a final agreement, which would solve the problems that all of us face and are of concern to the Senator from South Dakota.

The second is a political one. It has been conveyed to us very clearly that the House will not take up anything beyond the 60-day extension. We may think they are wrong, but they have the authority to reject an extension beyond the 60 days. That would result in a lapse in spectrum authority, which would be devastating to all of us and all of the goals we are striving to achieve.

So that is the practical question we face.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HASSAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WELCH). Without objection, it is so ordered.

## APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), appoints the following Senator to the Board of Visitors of the U.S. Military Academy: The Honorable JONI ERNST of Iowa, At Large.

## MEASURE READ THE FIRST TIME—S. 701

Ms. HASSAN. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 701) to protect a person's ability to determine whether to continue or end a pregnancy, and to protect a health care provider's ability to provide abortion services.

Ms. HASSAN. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

## PREVENTING CHILD SEX ABUSE ACT OF 2023

Ms. HASSAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 724, which is at the desk.

The PRESIDING OFFICER. The clerk will read the bill by title.

The legislative clerk read as follows:

A bill (S. 724) to protect children against sexual abuse and exploitation, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. HASSAN. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 724) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 724

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Preventing Child Sex Abuse Act of 2023".

### SEC. 2. SENSE OF CONGRESS.

The sense of Congress is the following:

(1) The safety of children should be a top priority for public officials and communities in the United States.

(2) According to the Rape, Abuse & Incest National Network, an individual in the United States is sexually assaulted every 68 seconds. And every 9 minutes, that victim is a child. Meanwhile, only 25 out of every 1,000 perpetrators will end up in prison.

(3) The effects of child sexual abuse can be long-lasting and affect the victim's mental health.

(4) Victims are more likely than non-victims to experience the following mental health challenges:

(A) Victims are about 4 times more likely to develop symptoms of drug abuse.

(B) Victims are about 4 times more likely to experience post-traumatic stress disorder as adults.

(C) Victims are about 3 times more likely to experience a major depressive episode as adults.

(5) The criminal justice system should and has acted as an important line of defense to protect children and hold perpetrators accountable.

(6) However, the horrific crimes perpetrated by Larry Nassar demonstrate firsthand the loopholes that still exist in the criminal justice system. While Larry Nassar was found guilty of several State-level offenses, he was not charged federally for his illicit sexual contact with minors, despite crossing State and international borders to commit this conduct.

(7) The Department of Justice has also identified a growing trend of Americans who use charitable or missionary work in a foreign country as a cover for sexual abuse of children.

(8) It is the intent of Congress to prohibit Americans from engaging in sexual abuse or exploitation of minors under the guise of work, including volunteer work, with an organization that affects interstate or foreign commerce, such as an international charity.

(9) Federal law does not require that an abuser's intention to engage in sexual abuse be a primary, significant, dominant, or motivating purpose of the travel.

(10) Child sexual abuse does not require physical contact between the abuser and the child. This is especially true as perpetrators turn increasingly to internet platforms, online chat rooms, and webcams to commit child sexual abuse.

(11) However, a decision of the United States Court of Appeals for the Seventh Circuit found the use of a webcam to engage in sexually provocative activity with a minor did not qualify as "sexual activity".

(12) Congress can address this issue by amending the definition of the term "sexual activity" to clarify that it does not require interpersonal, physical contact.

(13) It is the duty of Congress to provide clearer guidance to ensure that those who commit crimes against children are prosecuted to the fullest extent of the law.

### SEC. 3. INTERSTATE CHILD SEXUAL ABUSE.

Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by striking "with a motivating purpose of engaging in any illicit sexual conduct with another person" and inserting "with intent to engage in any illicit sexual conduct with another person";

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (i), respectively;

(3) in subsection (e), as so redesignated, by striking "with a motivating purpose of engaging in any illicit sexual conduct" and inserting "with intent to engage in any illicit sexual conduct"; and

(4) by inserting after subsection (g), as so redesignated, the following:

"(h) **RULE OF CONSTRUCTION.**—As used in this section, the term 'intent' shall be construed as any intention to engage in illicit sexual conduct at the time of the travel."

### SEC. 4. ABUSE UNDER THE GUISE OF CHARITY.

Section 2423 of title 18, United States Code, as amended by section 3 of this Act, is amended—

(1) by inserting after subsection (c) the following: